

Claims 33, 34, 36, 38, and 39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto et al. in view of Matsumura et al.

Regarding Claim 33 the Examiner claims that Hashimoto discloses a photographing unit which “receives photographing position information which has been obtained by said image processing apparatus in accordance with said rough photographing position information from said image processing apparatus.” The Examiner sites Figures 1, 2, and 7A-D along with paragraphs from Hashimoto’s specification in order to show this teaching. Applicant respectfully disagrees as Hashimoto does not disclose a receiving/supplying unit for supplying position information (more accurate than rough position information) back to the camera. The Examiner’s reliance on Figures 7A-7D is misplaced. Figures 7A-D show interoperability of a computer with images from a memory card. There is no sending back of position information back to a camera as the camera is not pertinent to Figures 7A-D. (C:5, L:7-10).

Hashimoto also fails to teach the claim language, “supplies said photographing position information to said camera through said receiving/supplying unit.” The Examiner states, “Fig 7A-7D - the image processing apparatus uses the manually input photographing position information and relates that to a map along with coordinates as can be seen from Figs. 6A and 7A-7D; col. 5, line 42 - col. 6, line 20.” Hashimoto states the following in C: 5 L: 44-45:

First, reduced images are displayed on the display 304 of the personal computer body 301 in FIG. 5A in the tile format shown by symbol 202 in FIG. 7A (step 101 in FIG. 6A).

As indicated, these images and results are not received by the camera through a receiving/supplying unit. Instead they are displayed on a separate personal computer body which is not a part of the camera as shown in Hashimoto’s Fig. 2.

In the claim language of claim 33, a camera sends photographed image data and inputted rough photographing position information to an information processing unit. The information processing unit obtains more accurate photographing position information based on the photographed image data, the rough photographing position information and map information stored therein by using pattern matching, and then supplies the obtained more accurate photographing position information to the camera. Due to such a construction, it is possible for the user to find his or her position with pinpoint accuracy without using a GPS and the like.

None of the references disclose or suggest the feature that more accurate photographing position information obtained with an information processing unit is supplied to a camera.

In addition, the Examiner states that Matsumura teaches, “an image processing apparatus, wherein the image processing apparatus creates images in virtual scope at detected positions from said map information by simulation, subjects said images in virtual scope to pattern matching with said photographed image, and decides a position which degrees of matching exceed a predetermined value as candidate photographing positions to obtain photographing position information being more accurate than said rough photographing position information.”

The Examiner sites Figures 3, 5B, and 11 along with C:6 L:44- C7 L:4 and C:9 L:31-56.

Applicant submits that Matsumura does not provide a position of which the degrees of matching exceed a predetermined value. As indicated in C:6 L:11 of Matsumura, the position is obtained by the device to begin with but is never updated or altered. The position and other attributes are further used to create an overlaying CG image, such as descriptions of buildings.

The CG image is prepared based on the captured constructions, the sub-domains of the CG image are correlated to sub-domains in the sight image by pattern matching, and the construction which is the basis of the correlated sub-domain is determined. (C:6 L:48-53).

Matsumura, however, never calculates a location after obtaining the initial location. The pattern matching is used to overlay 3D images onto a 2D setting. Such a labeled image is locally output and thus does not require transfer back to the camera. Thus, Matsumura does not correct the deficiencies of Hashimoto.

The Examiner states that through the combination of Matsumura with Hashimoto it is obvious that, “in order to accurately display a virtual scene by allowing the images to flow into one another to create a realistic scene.” The current invention subjects the images in virtual scope but not to “accurately display a virtual scene by allowing the images to flow into one another to create a realistic scene.” The current invention uses the virtual scope in order to determine a more accurate location. Matsumura does not have the location generating capabilities of the current invention, thus, does not teach claimed language.

Therefore Claim 33 is not taught by Matsumura in view of Hashimoto and Applicant submits that the rejection is withdrawn.

Claims 34 - 40 are patentable at least by virtue of their dependencies.

In addition, regarding Claim 38, Examiner states that Matsumura teaches, “the camera sends image data of images photographed in different directions at a same point to said image processing apparatus.” The Examiner sites the following sentence from Matsumura:

Upon receiving the instructions from the control section 8, the camera descriptive information acquiring section 3 records the camera angle of the sight image acquiring device while the images are being taken as a pair of a horizontal angle and an elevation angle (step 23). (C:9 L:44-51)

Matsumura teaches the recording of a single angle at a location, at the time of an image capture. It then uses that angle in order to overlay proper 3D images over the sight image. Matsumura, though, does not teach obtaining images from one spot, from multiple angles. Obtaining images from multiple angles and one spot does not support Matsumura as each different angle would produce its own different image overlay, thus there is no benefit to obtain image data from multiple angles and one spot.

Regarding Claim 39 a similar argument as Claim 38's is applied. Matsumura does not teach obtaining multistage-focus images from the same scene. Multistage-focus photographed images would result in different image overlays in Matsumura. They would not result in improved overlays nor do they provide image location data in Matsumura. Therefore Matsumura does not teach nor would benefit from teaching obtaining multi-focus images from the same scene.

Claims 35 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto et al. in view of Matsumura et al. as applied to claim 33 above.

This rejection should be withdrawn due to its reliance upon the rejection over Hashimoto in view of Matsumura for Claim 33. Further, the deficiency of the receiving apparatus and the location information is still present. Therefore Applicant submits that Claim 35 is patentable at least by virtue of its dependencies.

Claim 37 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto et al. in view of Matsumura et al. as applied to claim 33 above, and further in view of Kinjo (U.S. Patent 7, 170, 632).

This rejection should be withdrawn due to its reliance upon the rejection over Hashimoto in view of Matsumura for Claim 33. Further, the deficiency of the receiving apparatus and the

location information is still present. Therefore Applicant submits that Claim 37 is patentable at least by virtue of its dependencies.

Claim 40 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashimoto et al. in view of Matsumura et al. as applied to claim 33 above, and further in view of Tabata (U.S. Patent 6, 198, 542).

This rejection should be withdrawn due to its reliance upon the rejection over Hashimoto in view of Matsumura for Claim 33. Further, the deficiency of the receiving apparatus and the location information is still present. Therefore Applicant submits that Claim 40 is patentable at least by virtue of its dependencies.

In addition, Tabata discloses a system in which a plurality of image forming apparatus (printers) are disclosed. Tabata does not disclose any image processors. This is evident from the following excerpts from Tabata:

“the present invention which selects a suitable apparatus by retrieving whether there exists an image forming apparatus which satisfies the printing criteria requested by the operator.” (C9, L30-34).

And,

“The most convenient apparatus for the operator is finally selected because the apparatus in this list satisfy all of the desired printing conditions.” (C9, L48-51).

Tabata does not teach an image processing method at all, but instead teaches printing and printing options, using a network of printers.

Further, the Examiner states that, “Although Tabata does not disclose a camera connected to the system a camera is considered to be an image forming apparatus and therefore would be included amongst the possibilities of image forming apparatus that Tabata discloses.” Applicant respectfully submits that that there is a misinterpretation of the claim language in this case. It is

claimed that, “said camera selects one image processing apparatus among said plurality of image forming apparatuses.” The Examiner’s statement that the camera itself would be included as a possibility of an image forming apparatus is improper as the claim language states that the camera selects an image processing apparatus, and therefore can not select another camera. In addition Tabata does not have a camera, to select an image processing apparatus.

The image forming apparatus of Tabata is also not the same as an image processor as evident from the following paragraph from Tabata:

The present invention has been made in consideration of such problems, and accordingly it is an object of the present invention to provide a network control system capable of printing a document and a drawing which are output from a computer utilizing the network control system's own image forming apparatus functions. (C3, L28-34).

Therefore Claim 40 is not taught by Matsumura in view of Hashimoto in further view of Tabata and Applicant submits the rejection is withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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